of communication protocols. One example includes the IS-95 series of communication protocols.

From time to time, these protocols are revised in order to, for example, accommodate greater capability or to improve efficiency. The specific protocols are therefore identified by their revision numbers, e.g., IS-95A, IS-95B, etc., similar to the way the current version of the MPEP is identified, e.g., MPEP, Eighth Edition, revision 2. Paragraphs [14] and [15] of the specification acknowledge these revisions and that some revisions of the IS-95 standard have capabilities that other revisions do not. One such capability relates to providing a dormant function such as recited in the claims.

When, for example, two mobile stations or a mobile station and base station attempt to communication using different protocol revisions, there can be a problem. The mobile stations typically store protocol revision information as basic information in memory. This information will tell the controller of the mobile station which capabilities it has and, by default, which capabilities it does not have, e.g., dormant function.

As those skilled in the art appreciate, prior to the claimed invention, mobile stations that did not support a dormant function (or communicated with ones that did not support such a function) would respond to a request by checking the protocol revision information stored in memory. With the claimed invention, there is no need to perform this check because the "special message" provides an indication of whether a dormant function is to be performed for the mobile station. Applicants submit that this clarifies the language in Paragraph [44].

With this understanding, Applicants submit that one skilled in the art could practice (e.g., make and use) the invention without undue experimentation, by writing control software to the mobile station to rely on the receipt of the "special message" recited in the claims in lieu of performing a look-up or check function for protocol revision information stored in memory otherwise determined.

Applicants submit that the foregoing explanation is sufficient to overcome the § 112, first paragraph, rejection. Withdrawal of this rejection is respectfully requested.

Claims 1, 3-14, and 20-29 were rejected under 35 USC § 112, second paragraph, on grounds that "without referring to protocol revision information" is unclear. Applicants submit that this phrase has clear and definite meaning when the specification is read by one skilled in the art. Withdrawal of the § 112, second paragraph, rejection is respectfully requested.

Claims 1, 3-10, 12, 14, and 20-29 were rejected under 35 USC § 103(a) for being obvious in view of a Julka-Lioy-Riedel combination. The Riedel patent was cited for disclosing the use of a header in transmitting control information. The Examiner relied on this reference to supply the special message of claim 1, i.e., "determining whether to conduct the dormant function based on service option information of the mobile station, a state of a dormant timer, and dormant control information included in the specific message received from the mobile station."

The Riedel patent has an effective date of December 12, 2002. However, the present application claims priority to Korean Patent Application No. 2002/0070736, filed on November 14, 2002. The present application, therefore, has an effective filing date before the date of the

Riedel patent. In order to antedate the Riedel patent and therefore remove it as a reference against the claims, the following documents must be submitted: (1) a certified copy of an English translation of Korean Patent Application No. 2002/0070736, and (2) a statement from the translator indicating that the translation is accurate. Applicants note that these documents were filed with the Request for Reconsideration filed on January 4, 2008.

With the filing of these papers and under the provisions of MPEP § 201.15, it is respectfully submitted that the Riedel patent has been antedated and therefore removed as a reference against the claims. With the Riedel patent removed, the rejection is based only on a Julka-Lioy combination, which combination fails to teach or suggest "determining whether to conduct the dormant function based on service option information of the mobile station, a state of a dormant timer, and dormant control information included in the specific message received from the mobile station."

Absent a teaching or suggestion of these features, it is respectfully submitted that claim 1 and its dependent claims are allowable. The remaining independent claims (e.g., claim 7) recites similar features. Accordingly, it is submitted that claim 7 and its dependent claims are allowable.

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and timely allowance of the application is respectfully requested.
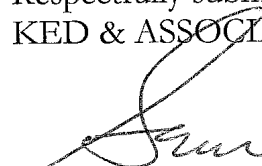
To the extent necessary, a petition for an extension of time under 37 CFR § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this,

concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and

please credit any excess fees to such deposit account.

Respectfully submitted,
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